APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,385	07/09/2002	Stone Cheng	9141-US-PA	4026

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JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
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EXAMINER
PIERRE, MYRIAM

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 September 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-4 and 6-17</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-4 and 6-17</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 09/22/06 have been fully considered but they are not

persuasive. Chou et al. (5,583,761) (herein known as Chou).

Applicant argues that Palevich et al. (5,630,131) (herein known as Palevich) at least does

not teach or disclose searching an external language file associated with the desired language;

locating a language string within the external language file. This argument is not persuasive.

Palevich teach external files, Fig. 3A elements 304-318 locale, current locales are searched via

text (col. 13 lines 2-9, each file or locale are associated with the desired language or specified

locale or root locale (localization or preparation of an application developed in one language for

use in an area or locale which uses another language); the language string is found in the

"object", as objects may contain text, col. 12 lines 1-6, 27-35, 40-45; col. 13 lines 12-16; and col.

14 lines 38-46. Therefore, Palevich does teach searching an external language file associated

with the desired language; locating a language string within the external language file.

Applicant argues that Palevich fails to disclose how such translation may be

accomplished. In light of this argument, should the claim language reflect this necessary step, as

the preamble is a method for replacing a language of a user interface, the word "translating" is

not found in claim 1, just replacing the language of a user interface. Palevich does replace the

language of a user interface, via a dictionary which represents locale hierarchy, Palevich's

replacement of language is in effect a "translation" from one language to the next, col. 13 lines

55-58. Therefore, Palevich does disclose how such translation may be accomplished

2.   In response to applicant's argument that there is no suggestion to combine the references,

the examiner recognizes that obviousness can only be established by combining or modifying the

teachings of the prior art to produce the claimed invention where there is some teaching,

suggestion, or motivation to do so found either in the references themselves or in the knowledge

generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5

USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

In this case, Chou (5,583,761) has an automatic displaying program in different languages

offering the user the flexibility to work with DOS, OS/2, Windows, and Unix, (Chou Abstract).

And Since Palevich does teach the limitations of claims 9 and 17, Chou does cure any

deficiencies of Palevich.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-4, 6-8, and 10-16 are rejected under 35 U.S.C. 102(b) as being anticipated by

Palevich et al. (5,630,131).

As to claims 1 and 10, Palevich et al. teach a method for replacing a language of a user

interface of a computer system comprising:

starting an application on said computer system (col. 7 lines 8-16);

choosing a desired language from among a plurality of written languages (Fig. 3 col. 13

lines 11-18 and col. 14 lines 21-26; Fig. 3A elements 304-318; written language is in the text

aspect of the "object");

searching an external language file (col. 6 lines 44-58; inherent in data storage device,

such as floppy disk) associated with desired language (locale language) (col. 12 lines 1-11 and

col. 10 lines 56-67 and col. 11 lines 40-53 and Fig. 1 element 126; locale language stored in

archive, archive in shared library, shared library stored in data storage device, element 126, in

which the data storage device comprise a hard disk or removable-media disk, thus, the removable

disk inherently has external files);

locating a language string within the external language file (col. 12 lines 1-11; although

not all objects include strings, localization of an application would require a translation of text

strings embedded within an object); and

redrawing the user interface based at least in part on said language string without closing

the application (col. 34 lines 17-27, claim 1 d; users can design a new user interface and then

load that new user interface into a running program without stopping and restarting the running

program).

As to claims 2 and 11, which depend on claims 1 and 10, Palevich et al. teach wherein

the user interface further comprises redrawing said user interface in an original language with the

desired language (col. 12 lines 44-61; the overriding operations means that whatever local is

chosen, some are stored in the chosen locale while others are at higher levels of the locale

hierarchy).

As to claims 3 and 12, which depend on claims 1 and 10, Palevich et al. teach

and further comprising modifying the language string to comply with the desired

language in response to an absence of a language string associated with the desired language

(col. 12 lines 1-50, 63-67; translate via localization, the local language may require a translation

of text strings embedded in the object, the embedded strings in root objects maybe any language,

depending on the application, the process of selecting a language which matches a text string

inherently responses to an absence of desired language, otherwise, there would not be a need to

select a different language via translation or localization of the original language/text string).

As to claims 4 and 13, which depend on claims 1 and10, Palevich et al. teach

and further comprising modifying the external file to comply with the desired

language in response to an absence of an external file associated with the desired language (col.

12 lines 1-50, 63-67 and col. 13 lines 1-15; archive files, program requests an object from

archive, copy of object for current system locale but program may also request object from a

specified local, augment route local via language level, country level, and regional level or

dialects).

As to claims 6 and 14, which depend on claims 1 and 10, Palevich et al. teach

wherein the language string comprises a plurality of language strings (col. 12 lines 1-50, 63-67).

As to claim 7 and 15, which depend on claims 1 and 10, Palevich et al. teach

wherein the external language file comprises a plurality of external

language files (col. 12 lines 1-50, 63-67 and col. 13 lines 1-15 and col. 12 lines 40-67 and Fig.

3A).

As to claim 8 and 16, which depend on claims 1 and 10, Palevich et al. teach

the application is operated on an inherent operating system (col. 7 lines 18-25 and col. 9

lines 40-55).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palevich

et al. (5,630,131) as applied to claims 8 and 16 above, and further in view of Chou (5,583,761).

As to claims 9 and 17, which depends on claims 8 and 16, Palevich et al. teach an

operating system (col. 7 lines 18-25 and col. 9 lines 40-55).

Palevich et al. does not teach plurality of operating systems.

However, Chou does teach wherein the operating system comprises a variety of operating

systems (abstract, windows or Unix).

Therefore, it would have been obvious at the time of the invention to modify Palevich et

al.'s multilingual graphic interface with Chou's automatic displaying program in different

languages because this would offer the user the flexibility to work with DOS, OS/2, Windows,

and Unix, thus application can be pure text based and/or graphic based. (Chou Abstract).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Myriam Pierre whose telephone number is 571-272-7611.

The examiner can normally be reached on Monday - Friday from 5:30 a.m. - 2:00p.m.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

8. Information as to the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Myriam Pierre
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12/03/06

ANGELA ARMSTRONG
PRIMARY EXAMINER